THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.11711, 11717, 11757, 11758, 11759 and 11761 of 2007

Dated:11.06.2007

Between:

P.Sumathi and others.

…Petitioner

and

The Joint Collector and another.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION Nos.11711, 11717, 11757, 11758, 11759 and 11761 of 2007

COMMON ORDER:

The petitioners in these Writ Petitions are residents of Perumallapalli and Palachuru Villages of Pellakur Mandal in Nellore District. They are in possession of various extents of land in Survey No.1/1 situated at Pellakur Revenue Village. It is their case that this land was originally belonged to Smt.Rani Velugoti Samrajyalakshmi of Venkatagiri, and that all of them are tenants of the owner even prior to commencement of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. Either the petitioners or their predecessors are allegedly in possession of the land for over a period of five decades. At present all of them raised sugarcane crop. It is alleged that on 23.05.2007, the first respondent tried to dispossess them without issuing notice and without following due process of law. Feeling aggrieved by the same and apprehending that the second respondent may dispossess them forcibly, they filed the present Writ Petitions.

After hearing the learned Counsel for the petitioners and the learned Assistant Government Pleader for Revenue (General-A), who opposed the Writ Petition, this Court is convinced that the petitioners filed the Writ Petitions on a mere apprehension. Nonetheless, this Court observes that if the petitioners are in possession of the land, they cannot be dispossessed without following due process of law and without issuing notice to them asking to show cause as to why they

should not be evicted from the land. This observation would safeguard the interests of the petitioners, if they are in possession of the land.

The Writ Petitions, with the above observations, are accordingly dismissed. No costs.

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(V.V.S.RAO, J)

11.06.2007

Note: Issue C.C today.

B/o.

vs